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PRICE TWO CENTS

## SENATOR BAILEY ELECTED DESPITE THE OPPOSITION

**He had Votes to Spare When the Texas Legislature was Through Balloting--Senator Tillman is Also Returned.**

**New Jersey Legislators are Deadlocked, Senator Dryden Within Six Votes of Enough to Elect Him--Oregon, Alabama, West Virginia, Minnesota, Kansas, Wyoming and Illinois Elect Senators--Cullom is Returned From Illinois After Having Served Continuously Since 1883.**

Austin, Texas, Jan. 23.—United States Senator Joseph W. Bailey was yesterday elected United States senator from this state by a vote, in the two branches of the legislature of 108, to 45. In the state senate the vote was 19 in favor of Senator Bailey and 10 against him and in the lower house Senator Bailey received 49 votes and 35 were cast against him.

The vote in opposition to Senator Bailey represented a scattering vote, cast for Cecil Lyon, the Republican nominee; Governor T. M. Campbell, former Representative A. W. Terrell and other prominent men of the state. In the house, seven members present did not vote and two were absent.

The vote necessary to an election is 53 votes, and yesterday's result being well above the required amount, thus returns Senator Bailey to the United States senate for a term of six years. The two houses will meet in joint session today to canvass the votes.

The opponents of Mr. Bailey made an effort in the house yesterday morning to secure the adoption of a resolution, providing that should the legislature vote unanimously for the election of Senator Bailey, the latter

should submit his name to the people in a special primary to be held within the next 30 days for a review of the charges preferred against him and that should the result be adverse to him, he would resign.

This proposition was not accepted by the friends of Senator Bailey and its further consideration was voted down by a vote of 59 to 51.

The special investigation committee of the two branches of the state legislature were engaged last night in considering the charges against Senator Bailey.

Trenton, N. J., Jan. 23.—The two houses of the legislature yesterday took the first separate vote for United States senator, and the balloting left the senatorship in a deadlock. Senator Dryden, who is a candidate for reelection, received the votes of the 38 men who participated in the Republican caucus. Mr. Dryden received 12 votes in the senate and 24 in the house. Forty-one votes are required to elect.

The anti-Dryden men voted as follows: Ex-Governor Briggs, 5; Justice Mahlon Pitney, 1; State Treasurer Briggs, 2.

The Democratic vote was cast as follows: Colonel Edwin A. Stevens,

16; Dr. Woodrow Wilson, 10; James E. Martine, 10.

Today the joint balloting will begin, one ballot being taken each day until the deadlock is broken.

Salem, Ore., Jan. 23.—Fred W. Motkey, Republican, of Portland, was yesterday elected to the United States senate for the short term and Johnathan Lorne, Jr., Republican of Portland, for the long term. The legislature today, in joint session, will ratify the election.

Columbia, S. C., Jan. 23.—Both houses of the legislature yesterday re-elected Hon. B. R. Tillman to the United States senate. The election will be confirmed today in joint session.

Washington, Jan. 23.—Senators yesterday are: Alabama, John T. Morgan and E. T. Pettus.

West Virginia, Stephen B. Elkins. Minnesota, Knute Nelson. Kansas, Charles Curtis.

Wyoming, Francis E. Warren. Illinois—Shelby M. Cullom. Mr. Cullom has been a member of the senate since 1883.

## CENTRAL ITALY GIVEN A SHAKE.

Rome, Jan. 23.—A severe earthquake shock was felt this morning in central Italy near the Adriatic coast.

## STOCK ISSUE IS ENJOINED

**Court Indefinitely Postpones the Melon Cutting for Great Northern Stockholders.**

St. Paul, Jan. 23.—A temporary injunction restraining the proposed \$500,000,000 additional stock issue by the Great Northern railway was granted by the district court today.

This action renders the "cutting of the melon" announced by James J. Hill recently, indefinitely postponed, as the Great Northern will appeal to the supreme court, where the case will drag until May next, at the earliest. In general, the court holds that the state may impose wholesome restraints upon the issue of stock by railroad corporations.

## EARTHQUAKE DID DAMAGE OUTSIDE OF KINGSTON

Kingston, Jan. 23.—The public in the Daily Telegraph of Governor Swettenham's letter to Rear Admiral Davis has greatly intensified the resentment of the residents against the governor for rebuffing the tenders of American assistance and there is a movement on foot here to demand the recall of the governor.

## NOT A PARALLEL CASE OF BROWNSVILLE AFFAIR

Washington, Jan. 23.—The war department officials aver that the Columbus soldier riot is unlike the Brownsville affair. They claim they are not giving it attention, and that the local commanding officers will dispose of it in the regular way. In view of the report that Foraker's friends are framing up a report for him, it is safe to reckon that Major Glenn to so report the proceedings that they may stand any sort of an attack in the senate.

## A Path Five Miles Wide From Bluff Bay to Kingston was Completely Devastated and Much Damage is Done in the Surrounding Territory.

**Inhumanities Shown to Refugees by Englishmen Present and Native Jamaicans Causes Much Comment—The Swettenham-Davis is not Closed and the Recall of the Governor May Result—Natives of Kingston are Very Indignant Over the Affair and are not Slow in Expressing Their Disapproval.**

Kingston, Jan. 23.—The public in the Daily Telegraph of Governor Swettenham's letter to Rear Admiral Davis has greatly intensified the resentment of the residents against the governor for rebuffing the tenders of American assistance and there is a movement on foot here to demand the recall of the governor.

A small minority, mostly officials, support Governor Swettenham and their views were voiced by the Rev. Mr. Graham, pastor of the Methodist church, who declared that the governor was justified in resenting the landing of Americans. "This is a British colony, not Cuba or a Spanish American republic," he said.

A correspondent of the press spoke to Governor Swettenham regarding the Davis incident. The governor said he had not invited Rear Admiral Davis to land sailors. Asked if he intended the action taken by Rear Admiral Davis, the governor replied: "That is a matter between myself and Rear Admiral Davis, to whom I refer you."

The governor said his reference in his letter to Rear Admiral Davis to a tramp pillaging the house of a New York millionaire was merely a jocular parallel.

A meeting of the relief committee was held here yesterday on the call of the governor to discover the precise conditions attending the difference between the governor and the admiral. At the close of this meeting and after having read Governor Swettenham's letter to Rear Admiral Davis, Dr. Enos Nuttall, archbishop of Jamaica, sought the governor to discuss the matter, saying if he found the conditions warranted, he would send a personal explanatory cablegram to President Roosevelt.

The archbishop was unable to see the governor owing to the latter's absence at headquarters, but will see him today.

The archbishop deprecated the idea that Governor Swettenham's action would result in a national animosity. "It was merely the result of the dictatorial character of the governor," he said. "His imperious manner, his frequent abuse of subordinates and his discourtesy to citizens have earned him great unpopularity, although otherwise he is regarded as a comparatively conscientious official."

New York, Jan. 23.—American refugees from Kingston, Jamaica, arriving here on board the steamer

## USED FORAKER FOR A POLITICAL FOOTBALL

**Senators Have Fun With the Leader of the Old Guard and Then Adopt His Resolution, Making Him Believe He Emerged From a Very Small Hole.**

Washington, Jan. 22.—After the United States senate got through hazing Senator Foraker yesterday afternoon, the Brownsville resolution was passed.

The senator still professes to believe that he emerged from a very trying position with some degree of credit; if any other senator thinks so, he didn't express his thoughts.

What the senators did was to try Foraker's temper to the utmost by the presentation of one substitute resolution after another.

Several times Foraker lost his temper, but he managed to control himself and allowed the senate to carry out the agreement to vote down everything but the latest amendment, Foraker's resolution.

Senator Culberson, of Texas, made Foraker listen to another taunting arraignment. He called attention to the fact that the Ohio senator had introduced no less than six different resolutions regarding the trouble with the negro troops of the Twenty-fifth Infantry, illustrating very clearly and forcibly how he had quibbled and been compelled finally to yield to the wishes of the president and his party.

There is a growing opinion that with this afternoon's exhibition the Brownsville incident is a closed one;

that there will not be any real investigation on the part of the senate committee. All of which would only the more fully expose the hollowness of Senator Foraker's remarkable pretensions.

The Foraker resolution as adopted authorizes the committee on military affairs to investigate the facts of the affair at Brownsville on the nights of Aug. 13 and 14 last, without questioning the legality or justice of any act of the president in relation to or connected with that affair. This action came after the subject of the president's discharge of the negro troops had been under consideration almost daily since the first day of the present session of congress, and every phase of the question had been discussed on all sides.

Senator Mallory's substitute resolution declaring that the president had authority for his course and acted justly, was tabled by a vote of 13 to 22. Another by Senator McCumber, simply providing for an investigation without reference to the president in any manner, was tabled by a viva voce vote. A third by Senator Culberson, simply endorsing the president's action and providing for no investigation, was tabled by a roll call vote of 46 to 19.

ported during the past 24 hours. It is decided to keep the schools open, unless the appearance of diseases among the pupils shows the advisability of closing them.

## 500,000 ROUNDS OF AMMUNITION EXPLODES

Richmond, Va., Jan. 23.—Fire, early this morning destroyed the Williams building, of Surbrug's tobacco factory and the Adams express offices. The Richmond Blues' armory was located in the Williams building and was stocked with 500,000 rounds of ammunition which exploded. Fifty thousand dollars worth of government property in the armory was also destroyed. The total loss is \$300,000.

## FLICKINGER BEGINS HIS SENTENCE IN THE PEN

Columbus, Jan. 23.—Edward Flickinger, the Galion manufacturer, who was sentenced to seven and one half years in the penitentiary for aiding in wrecking the Galion bank, was received at that institution at noon today.

## CONTAGIOUS DISEASES RAGING IN CHICAGO

Chicago, Jan. 23.—Contagious diseases are spreading to an alarming extent in this city. Two hundred and twenty-three new cases of scarlet fever, 55 of diphtheria, and 25 miscellaneous cases, including four of smallpox have been re-

## THAW'S TRIAL FOR THE MURDER OF SANFORD WHITE BEGAN TODAY

**IT IS EXPECTED THAT IT WILL REQUIRE SEVERAL DAYS TO SECURE THE JURY FROM THE TWO HUNDRED TALESMEN--SOME WELL KNOWN WOMEN ATTEND THE TRIAL AND ALL ARE HEAVILY VEILED--THAW IS EXTREMELY NERVOUS AND REQUIRES A STRONG EFFORT ON HIS PART TO CONTROL HIMSELF--JEROME IS CONDUCTING THE PROSECUTION.**

New York, Jan. 23.—The fight to save Harry Kendall Thaw from execution in the electric chair, for slaying Stanford White, began this morning before Justice Fitzgerald in the supreme court. The drawing of a jury to try the young Pittsburgh millionaire began with the opening of court, and it will be days before the jury is selected from the two hundred talesmen. Thaw added his counsel in picking the jurors.

Long before the bar set for the trial, crowds flocked to the criminal court building and filled the rotunda. Every entrance to the courtroom was guarded by the police. Only talesmen and reporters were allowed to enter the court room.

The trial has overshadowed the Molloy and Patrick trials. Over two hundred newspaper men made application for admission to report the trial. No spectators are allowed in the trial room. Correspondents are present from Paris, London and Berlin.

Occupying seats behind the prisoner were Mrs. William Thaw, mother of Harry; Mrs. Evelyn Nesbit Thaw, the artist model wife; the Countess of Yarmouth, titled sister of the defendant; Mrs. George Carnegie, a sister of Thaw, and Miss May McKenzie, a chorus girl friend of Evelyn Thaw. The party was accompanied by Edward Thaw, a brother of Harry Thaw and George Carnegie. All women were heavily veiled.

Thaw was extremely nervous and it is apparent that he is exerting all his forces for self-control. He was seated but a few minutes when he took the great brown ulster, which he brought with him, and drew it around his shoulders, although the

room was exceedingly warm. He wore a suit of dark blue clothes.

District Attorney Jerome is personally conducting the case for the prosecution, assisted by assistant district attorney Garvan. Clifford W. Hart, a judge and Judge Delmas, of California, are chief counsel for Thaw.

It is now known that the defense for the killing will be "emotional insanity."

The examination of talesmen moved with a celerity seldom witnessed in great murder trials. Thaw listened attentively to the examination of talesmen but rarely looked at them or the attorneys for the state. Denning B. Smith, a retired umbrella manufacturer, was the first juror selected. He will be foreman of the jury. Frank B. Hill, a painter, the fourth talesman examined, was chosen as the second juror.

## THE SHADOW OVER CUBA.



## EXPLOSION OCCURS IN A COLORADO COAL MINE

**Twenty Men are Known to be Dead and it is Thought the List will be Greatly Increased--Many Injured are Known to be Under Debris--Details not Obtainable.**

Trinidad, Colo., Jan. 23.—Twenty miners are known to be dead and scores of others injured, early this morning as the result of an explosion in Primero mine of the Colorado Fuel and Iron company. Because of the impossibility of penetrating into the shaft, the exact number of killed and injured is not obtainable. The explosion occurred in the main entry of the mine and, according to first reports, was caused by a "windy" shot. The bay shaft was going to work and a great number of miners were in the entry when the unexpected blast occurred. More

than ten men were killed outright, and others are pinned under huge quantities of broken timbers and other debris.

The body of Frank Houbt, a timberman, was first recovered. It was found near the entrance. Beyond him the dead and injured lay in profusion.

The force of the explosion shattered the timber supports, bringing down rocks and coal. Physicians left Trinidad for the mine on a special train. According to a message from Primero, a state of panic exists in the mining town, due to a fear that fire may add to the horrors of the situation.